S.B.CRIMINAL MISC. BAIL APPLICATION NO.656/2007
(Hemant vs. State of Rajasthan)

DATE OF ORDER : July 05, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Vijay Purohit, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for State.
Mr. Vineet Jain, for the complainant.

Heard learned counsel for the petitioner and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned.

From the admitted facts as complainant stated in the complaint that the in-laws of the complainant turned out the complainant and her husband, the petitioner and thereafter they started living at her parental house. On 4.6.2004, the petitioner left the house. The complaint has been filed in the year 2006 after lapse of more than two years. From the day when the petitioner left the complaint's parental house, he never turned up and subjected the cruelty to the complainant or before living the house, the petitioner carried the house holds or dowry articles from parental house of the complainant.

In the circumstances, therefore, without commenting on the merit of the case, which may prejudice the case of either party at the trial, I consider it just and proper to grant

anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Hemant s/o Moti Lal in FIR No.205/2006, Police Station, J.N.V. Bikaner, Distt. Bikaner, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-